

Eugene I. Farber (8817)  
FARBER, PAPPALARDO & CARBONARI  
200 East Post Rd.  
White Plains, N.Y. 10601  
Telephone: (914) 761-9400  
Facsimile: (914) 261-0747  
e-mail: efarber747@aol.com

-and-

Judy B. Calton  
HONIGMAN MILLER SCHWARTZ AND COHN LLP  
2290 First National Building  
Detroit, MI 48226  
Telephone: (313) 465-7344  
Facsimile: (313) 465-7345  
e-mail: [jcalton@honigman.com](mailto:jcalton@honigman.com)

Attorneys for DBM Technologies, Inc.

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X	:	
In re	:	Chapter 11
	:	
<b>DELPHI CORPORATION <u>et al.</u>,</b>	:	Case No. 05-44481 (RDD)
	:	
Debtors.	:	(Jointly Administered)
	:	
-----X		

**NOTICE OF MOTION BY DBM TECHNOLOGIES, LLC FOR  
RELIEF FROM STAY TO EFFECT SETOFF**

DBM TECHNOLOGIES, LLC ("DBM"), by its attorneys, Farber, Pappalardo & Carbonari, and Honigman Miller Schwartz and Cohn LLP, has filed papers with this Court for relief from the stay to effect setoff, for preliminary hearing on the Omnibus Hearing Date scheduled for November 29, 2005, at 10:00 am.

Pursuant to the Case Management Order, objections must be filed by November 25, 2005.

Respectfully submitted,

FARBER, PAPPALARDO & CARBONARI

By: Eugene I. Farber  
Eugene I. Farber (8817)  
200 East Post Rd.  
White Plains, N.Y. 10601  
Telephone: (914) 761-9400  
Facsimile: (914) 261-0747  
e-mail: efarber747@aol.com

-AND-

HONIGMAN MILLER SCHWARTZ AND COHN LLP

By: Judy B. Calton  
Judy B. Calton (P38733)  
2290 First National Building  
660 Woodward Avenue  
Detroit, MI 48226-3506  
(313) 465-7344  
e-mail: jcalton@honigman.com

Dated: November 15, 2005

DETROIT.2004464.1

Eugene I. Farber (8817)  
FARBER, PAPPALARDO & CARBONARI  
200 East Post Rd.  
White Plains, N.Y. 10601  
Telephone: (914) 761-9400  
Facsimile: (914) 261-0747  
e-mail: efarber747@aol.com

-and-

Judy B. Calton  
HONIGMAN MILLER SCHWARTZ AND COHN LLP  
2290 First National Building  
Detroit, MI 48226  
Telephone: (313) 465-7344  
Facsimile: (313) 465-7345  
e-mail: [jcalton@honigman.com](mailto:jcalton@honigman.com)

Attorneys for DBM Technologies, Inc.

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X	:	
In re	:	Chapter 11
	:	
<b>DELPHI CORPORATION <u>et al.</u></b>	:	Case No. 05-44481 (RDD)
	:	
Debtors.	:	(Jointly Administered)
	:	
-----X		

**MOTION BY DBM TECHNOLOGIES, LLC FOR  
RELIEF FROM STAY TO EFFECT SETOFF**

DBM TECHNOLOGIES, LLC ("DBM"), by its attorneys, for its Motion By DBM Technologies, LLC For Relief From Stay To Effect Setoff states:

1. The Court has jurisdiction over the Motion under 28 U.S.C. §§157 and 1334.  
This matter is a core proceeding within the meaning of 28 U.S.C. §157(b)(2)(G).
2. Venue in this District is proper under 28 U.S.C. §1409.

3. The statutory bases for the relief requested herein are sections 362 and 553 of Title 11 of the United States Code, as amended (the “Bankruptcy Code”) and Federal Rules of Bankruptcy Procedure 4001, 9013 and 9014.

#### **RELIEF REQUESTED**

4. DBM is seeking relief for the automatic stay to set off \$301,519.70, which Debtor Delphi Corporation (“Delphi”) owes DBM for prepetition invoices against \$2,289,046.63 which DBM owes Delphi for prepetition invoices.

#### **BASIS FOR RELIEF**

5. Pursuant to purchase orders issued by DBM to Delphi (the “DBM Purchase Orders”), DBM purchases radiators and other parts from Delphi. The DBM Purchase Orders are governed by Michigan law.

6. Pursuant to purchase orders issued by Delphi to DBM (the “Delphi Purchase Orders”), Delphi purchases ducts and resonators from DBM. The Delphi Purchase Orders are also governed by Michigan law.

7. As of the commencement of Delphi’s bankruptcy case, Delphi owed DBM \$301,519.70 (“DBM Claim”) for invoices issued prepetition by DBM to Delphi under the Delphi Purchase Orders. A schedule of the unpaid invoices making up the DBM Claim is attached as Exhibit A.

8. As of the commencement of Delphi’s bankruptcy case, DBM owed Delphi \$2,289,046.63 (the “Delphi Claim”) for invoices issued prepetition by Delphi to DBM under the DBM Purchase Orders. A schedule of the unpaid invoices making up the Delphi Claim is attached as Exhibit B.

9. Upon the commencement of Delphi's bankruptcy case, DBM placed an administrative hold on a sufficient portion of its prepetition payable to Delphi to protect its right of setoff of the DBM Claim, and sought Delphi's consent to the setoff so a joint motion to approve the setoff could be proposed. A copy of DBM's letter to Delphi advising of the administrative hold is attached as Exhibit C.

10. While DBM and Delphi have had discussions to resolve this matter, no agreement has been reached, necessitating the subject motion.

### **LEGAL BASIS FOR REQUESTED RELIEF**

11. 11 U.S.C. §553 preserves any rights of setoff under state law that may exist between a creditor and a debtor. *See Citizens Bank of Maryland v. Strumpf* 516 U.S. 16, 18 (1995) (holding that 11 U.S.C. §553(a) "provides that, with certain exceptions, whatever right of setoff otherwise exists is preserved in bankruptcy"). This right of setoff is intended to avoid "the absurdity of making A pay B when B owes A." *Id.* at 18 (1995) (quoting *Studley v. Boylston Nat. Bank*, 229 U.S. 523, 529 (1913)). 11 U.S.C. §553(a) states in pertinent part:

Except as otherwise provided in this section and in sections 362 and 353 of this title, this title does not affect any right of a creditor to offset a mutual debt owing by such creditor to the debtor that arose before the commencement of the case under this title against a claim of such creditor against the debtor that arose before the commencement of the case...

12. DBM has a right of setoff under Michigan law. *In re Bennett Funding Group, Inc.*, 212 B.R. 206, 212 (B.A.P. 2d Cir. 1997) (stating the requirement that a creditor must demonstrate the right to set off exists under applicable nonbankruptcy law). As stated above, both the DBM Purchase Orders and the Delphi Purchase Orders have a Michigan choice of law. In Michigan, setoff is an equitable right under common law. *See In re New Haven Foundry, Inc.*, 258 B.R. 646 (Bankr. E.D. Mich. 2002); *see also Mich. Bell Tel. Co. v. Airtouch Cellular, Inc.*,

Case No. 00-7734, 2002 U.S. Dist. LEXIS 6569 \*22-23 (E.D. Mich. March 27, 2002) (acknowledging Michigan common law right to setoff); *Walker v. Farmers Siciliano v. Mueller*, Case No. 222258, 2001 WL 1699801 (Mich. Ct. App. Dec. 28, 2001); *Mahesh v. Mills*, 602 N.W. 2d 618, 620 (Mich. Ct. App. 1999) (same).

13. Michigan has very similar requirements for setoff as those of §553:

- (a) the creditor holds a “claim” against the debtor that arose prepetition;<sup>1</sup>
- (b) the creditor “owes” a debt to the debtor that arose prepetition;
- (c) the claim and the debt are mutual; and
- (d) the claim and the debt are each enforceable and valid. *See, e.g., 5*

*COLLIER ON BANKRUPTCY* at 212; *King v. Fulbright & Jaworski, LLP (In re Koch)*, 224 B.R. 572, 576 (Bankr. E.D. Va. 1998); *E. Airlines, Inc.*, Case No. 95-3981, 1997 U.S. Dist. LEXIS 7380, at \*5 (Bankr. S.D.N.Y. 1997).

14. Here, the four conditions for setoff are clearly satisfied:

- (a) The DBM Claim arose prepetition against Delphi for ducts and resonators purchased by Delphi prepetition;
- (b) The Delphi Claim arose prepetition for radiators DBM purchased from Delphi prepetition;
- (c) The DBM Claim and Delphi Claim are mutual, in that they are owed between the same parties acting in the same capacity. *See New Haven Foundry*, 258 B.R. at 648.

---

<sup>1</sup> 11 U.S.C. §101(5) defines “claim” as any “right of payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured....” The concept of “claim” is intended to encompass virtually any type of obligation reducible to some monetary equivalence.

(d) The DBM Claim and Delphi Claim are enforceable and valid, arising out of legally binding agreements. Generally, a claim and debt are both valid and enforceable for purposes of setoff unless a setoff of such debt would be invalid under either applicable nonbankruptcy law or applicable provisions of the Bankruptcy Code. *Collier Bankruptcy Manual* 553.02[4], p. 553-18 (3d ed. 2001). In this instance, there are no provisions of the Bankruptcy Code, or any other law, that would make the contemplated setoff invalid.

15. Therefore, given the fact that an independent right of setoff exists outside of the Bankruptcy Code, and the exercise of this right meets all the conditions required for setoffs preserved under 11 U.S.C. §553, the right of DBM to setoff the DBM Claim against the Delphi Claim is established.

16. While the Bankruptcy Code preserves creditors' rights of setoff, the exercise of such rights is subject to a grant of relief from stay from the Court. Specifically, the automatic stays protects against the delineated acts set forth in 11 U.S.C. §362(a), which states, in pertinent part:

(a) Except as provided in subsection (b) of this section, a petition filed under section 301, 302, or 3032 of this title, or an application filed under section 5(a)(3) of the Securities Investor Protection Act of 1970, operates as a stay, applicable to all entities, of --

(7) the setoff of any debt owing to the debtor that arose before the commencement of the case under this title against any claim against the debtor . . . .

17. While the automatic stay is intended to protect a debtor from interference with an orderly liquidation or rehabilitation, to forestall the depletion of a debtor's assets due to legal costs in defending legal proceedings against it and to prevent certain creditors from gaining a preference for their claims against the debtor, "the stay is not meant to be indefinite or absolute,

and in appropriate instances, relief may be granted.” *Izzarelli v. Rexent Prods. Co.* (In re Rexene Prods. Co.), 141 B.R. 574, 576 (Bankr. D. Del. 1992). 11 U.S.C. §362(d) provides, in pertinent part, that:

(d) On request of a party in interest and after notice and a hearing, the court shall grant relief from the stay provided under subsection (a) of this section, such as by terminating, annulling, modifying or conditioning such stay ---

(1) for cause, including the lack of adequate protection of an interest in property of such party in interest;

(2) with respect to a stay of an act against property under subsection (a) of this section, if ---

(A) the debtor does not have an equity in such property; and

(B) such property is not necessary to an effect reorganization.

18. DBM is entitled to relief from stay under 11 U.S.C. §362(d)(1) for cause in order to set off the DBM Claims pre-petition balance owing from Delphi to DBM under the Delphi Purchase Orders against the Delphi Claim owed to Delphi under the DBM Purchase Orders.

19. In the alternative, DBM is entitled to relief from the stay under 11 U.S.C. §362(d)(2) because Delphi has no equity in the Delphi claim to the extent of DBM’s right of setoff, and it is not necessary to an effective reorganization.

20. No prior motion for the relief requested herein has been made to this Court or any other court.

21. Notice of this Motion has been provided by electronic transmission through the Court’s electronic filing system, overnight delivery or first class mail to chambers, the parties on the Master Service List and the 2002 List Parties, pursuant to the Case Management Order



entered on October 14, 2005 and as indicated on the Certificate of Service, filed contemporaneously herewith.

22. Because the legal points and authorities upon which this Motion relies are incorporated herein, DBM respectfully requests that the requirement of the service and filing of a separate memorandum of law under Local Rule 9013-1(b) be deemed satisfied.

WHEREFORE, DBM respectfully requests the entry an order, substantially in the form attached as Exhibit D, granting DBM relief from the automatic stay to effect the setoff of the DBM Claim against the Delphi Claim, and for such further relief as is proper and just.

Respectfully submitted,

FARBER, PAPPALARDO& CARBONARI

By: Eugene I. Farber

Eugene I. Farber (8817)  
200 East Post Rd.  
White Plains, N.Y. 10601  
Telephone: (914) 761-9400  
Facsimile: (914) 261-0747  
e-mail: efarber747@aol.com

-AND-

HONIGMAN MILLER SCHWARTZ AND COHN LLP

By: Judy B. Calton\_\_\_\_\_

Judy B. Calton (P38733)  
2290 First National Building  
660 Woodward Avenue  
Detroit, MI 48226-3506  
(313) 465-7344  
e-mail: jcalton@honigman.com

Dated: November 15, 2005

**Attachment 1**  
**Delphi Accounts Receivable**  
**As of October 8, 2005**

<u>Cust #</u>	<u>Inv #</u>	<u>Inv Date</u>	<u>Prod Parts Amount</u>
GM04400	80025441	11/6/2003	306.36
	80027827	1/7/2004	132.3
	80045156	1/14/2005	995.29
	80052986	6/20/2005	995.29
	80055948	8/30/2005	22.31
	80056100	9/1/2005	3,373.27
	80056101	9/1/2005	803.16
	80056127	9/1/2005	620.83
	80056164	9/2/2005	3,212.64
	80056165	9/2/2005	642.53
	80056199	9/2/2005	975.38
	80056260	9/6/2005	1,927.58
	80056261	9/6/2005	481.9
	80056277	9/6/2005	2,619.55
	80056339	9/7/2005	3,533.90
	80056340	9/7/2005	803.16
	80056400	9/8/2005	3,533.90
	80056401	9/8/2005	803.16
	80056408	9/8/2005	975.38
	80056433	9/8/2005	22.31
	80056451	9/9/2005	3,533.90
	80056452	9/9/2005	803.16
	80056525	9/12/2005	803.16
	80056563	9/12/2005	1,927.58
	80056620	9/13/2005	3,533.90
	80056621	9/13/2005	963.79
	80056691	9/14/2005	3,533.90
	80056692	9/14/2005	803.16
	80056700	9/14/2005	620.83
	80056703	9/14/2005	1,032.19
	80056734	9/15/2005	1,766.95
	80056735	9/15/2005	321.26
	80056811	9/16/2005	3,533.90
	80056812	9/16/2005	963.79
	80056856	9/16/2005	1,596.21
	80056861	9/17/2005	3,373.27
	80056862	9/17/2005	963.79
	80056864	9/16/2005	645.12
	80056894	9/19/2005	3,212.64
	80056895	9/19/2005	642.53
	80056997	9/20/2005	3,373.27
	80056998	9/20/2005	963.79
	80057035	9/21/2005	3,373.27
	80057036	9/21/2005	963.79
	80057076	9/21/2005	333.12
	80057140	9/22/2005	2,248.85
	80057141	9/22/2005	642.53
	80057154	9/23/2005	333.12
	80057203	9/23/2005	2,891.38
	80057204	9/23/2005	963.79
	80057250	9/24/2005	3,212.64
	80057252	9/24/2005	963.79
	80057296	9/26/2005	2,409.48
	80057297	9/26/2005	963.79
	80057362	9/27/2005	3,373.27
	80057363	9/27/2005	1,124.42
	80057438	9/28/2005	3,212.64
	80057439	9/28/2005	1,124.42
	80057440	9/28/2005	1,998.72
	80057507	9/29/2005	620.83
	80057509	9/29/2005	3,373.27
	80057510	9/29/2005	1,124.42
	80057542	9/30/2005	3,373.27
	80057543	9/30/2005	1,124.42



**Delphi Accounts Receivable**  
**As of October 8, 2005**

<u>Cust #</u>	<u>Inv #</u>	<u>Inv Date</u>	<u>Prod Parts</u> <u>Amount</u>
	80057587	9/30/2005	2,193.41
	80057657	10/3/2005	2,891.38
	80057658	10/3/2005	963.79
	80057714	10/4/2005	3,212.64
	80057715	10/4/2005	1,124.42
	80057719	10/4/2005	1,596.21
	80057792	10/5/2005	3,373.27
	80057793	10/5/2005	1,124.42
	80057799	10/5/2005	22.31
	80057850	10/6/2005	1,124.42
	80057851	10/6/2005	3,212.64
	80057873	10/7/2005	774.14
	80057915	10/7/2005	3,373.27
	80057916	10/7/2005	1,091.16
	T1015	7/26/2005	
Cust # Total			131,519.00
GM04401	80038340	8/13/2004	104.77
	80039626	9/10/2004	160.7
	80048603	3/30/2005	70.68
	80055588	8/22/2005	22
	80055591	8/22/2005	1,200.00
	80056141	9/1/2005	22,019.37
	80056217	9/2/2005	187.2
	80056294	9/6/2005	811.2
	80056351	9/7/2005	1,979.64
	80056586	9/12/2005	2,896.02
	80056639	9/13/2005	9,820.08
	80056657	9/14/2005	3,608.50
	80056711	9/14/2005	1,801.80
	80056944	9/19/2005	18,929.98
	80056946	9/19/2005	12,433.59
	80057028	9/20/2005	374.4
	80057093	9/21/2005	873.6
	80057147	9/22/2005	4,211.66
	80057324	9/26/2005	19,179.80
	80057379	9/27/2005	10,032.30
	80057388	9/27/2005	526.5
	80057580	9/30/2005	1,000.40
	80057662	10/3/2005	21,614.54
	80057733	10/4/2005	5,463.69
	80057806	10/6/2005	55.28
	80057859	10/6/2005	1,752.70
	80058002	10/10/2005	19,817.50
	80058012	10/10/2005	1,347.15
	80058087	10/11/2005	7,036.40
	8033073M	4/19/2004	445.5
	8035833M	6/29/2004	7.46
	8045710M	2/28/2005	7.33
	8046427M	2/28/2005	208.96
	T1055	9/23/2005	
Cust # Total			170,000.70
Total Delphi			<u><u>301,519.70</u></u>

**Attachment 2**  
**DBM Technologies, LLC**  
**Delphi A/P Balance as of 10/08/05**

<u>Voucher</u> <u>Invoice</u>	<u>Inv Date</u>	<u>Total</u> <u>Amount</u>
<b>BM12906</b>	<b>DELPHI Harrison Thermal</b>	
85307102	11/19/2004	1,925.00
86756481	8/16/2005	50,820.00
86859723	9/1/2005	50,820.00
86859727	9/1/2005	37,730.00
86866259	9/2/2005	50,820.00
86866260	9/3/2005	50,820.00
86879203	9/6/2005	50,820.00
86889308	9/7/2005	50,820.00
86889311	9/7/2005	50,820.00
RC176576	9/7/2005	(6,200.00)
86899475	9/8/2005	50,820.00
86908218	9/9/2005	50,820.00
86908219	9/10/2005	50,820.00
86908225	9/10/2005	50,820.00
86916610	9/12/2005	50,820.00
86927862	9/13/2005	50,820.00
86936099	9/14/2005	50,820.00
86936102	9/14/2005	50,820.00
86943495	9/15/2005	50,820.00
86953536	9/16/2005	50,820.00
86953537	9/17/2005	50,820.00
86953639	9/17/2005	50,820.00
86960959	9/19/2005	50,820.00
86971958	9/20/2005	50,820.00
86980088	9/21/2005	29,260.00
86980090	9/21/2005	50,820.00
86986463	9/22/2005	43,505.00
86986467	9/22/2005	36,960.00
86998026	9/23/2005	50,820.00
86998342	9/24/2005	13,860.00
86998027	9/24/2005	50,820.00
86998030	9/24/2005	24,640.00
87007002	9/26/2005	50,820.00
87011952	9/26/2005	26,180.00
87017361	9/27/2005	50,820.00
87024364	9/28/2005	50,820.00
87024366	9/28/2005	36,960.00
87030782	9/29/2005	50,820.00
87041583	9/29/2005	13,860.00
CHRGBK 0905	9/29/2005	(1,059.37)
87042584	9/30/2005	23,870.00
87042585	10/1/2005	38,500.00
87042588	10/1/2005	20,020.00
87050203	10/2/2005	40,040.00



87063449	10/3/2005	30,030.00
87063508	10/3/2005	50,820.00
87067025	10/4/2005	50,820.00
87073417	10/5/2005	50,820.00
87073418	10/5/2005	50,820.00
RC177204	10/5/2005	(6,640.00)
87080976	10/6/2005	50,820.00
87080978	10/6/2005	50,820.00
87090002	10/7/2005	40,810.00
87090004	10/8/2005	50,820.00
87090006	10/8/2005	<u>50,820.00</u>

<b>Total</b>		2,273,770.63
--------------	--	--------------

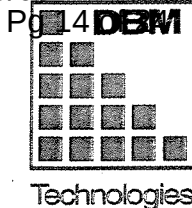
**BM12907**

**DELPHI**

RC173965	4/26/2005	(14,070.00)
86797633	8/23/2005	7,035.00
86857385	9/1/2005	7,437.00
86874792	9/6/2005	7,437.00
86914557	9/12/2005	<u>7,437.00</u>

<b>Total</b>		15,276.00
--------------	--	-----------

<b>Grand Total Payables</b>		<u><u>2,289,046.63</u></u>
-----------------------------	--	----------------------------



October 26, 2005

Mr. Everett W. Montgomery, Jr.  
Global Commodity Team Manager, Plastic Components  
Delphi Automotive Systems  
M/C 462-394-104  
8750 Hague Rd.  
Indianapolis, IN 46256

Dear Mr. Montgomery:

Delphi Automotive Systems ("Delphi") currently owes DBM Technologies LLC, \$301,519.70 with respect to our invoices as detailed in Attachment 1 which were issued prior to the filing of Delphi's petition for Bankruptcy protection. DBM currently has Delphi invoices of \$2,289,046.63 as detailed in Attachment 2 which were issued prior to the filing of Delphi's petition for Bankruptcy protection and is entitled to set-off or recoupment with respect to such amount. Accordingly, we have placed your pre-petition invoices on administrative hold pending completion of our investigation and filing of our application to the bankruptcy court for relief from the automatic stay to exercise our set-off rights.

In order to avoid unnecessary costs and delays we would like your consent to such set-off and your agreement to prepare a joint motion for approval of such set-off.

Please contact me as soon as possible to inform me whether you are willing to consent to such set-off and join us in our motion for the approval of such set-off.

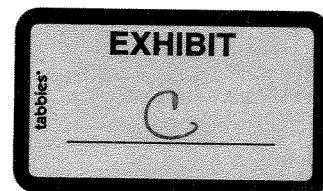
Sincerely,

DBM Technologies, LLC

By: 

Its Vice President Finance, DBM Technologies,  
LLC

DETROIT.1955455.1



Attachment 1  
Delphi Accounts Receivable  
As of October 8, 2005

<u>Cust #</u>	<u>Inv #</u>	<u>Inv Date</u>	<u>Prod Parts Amount</u>
GM04400	80025441	11/6/2003	306.36
	80027827	1/7/2004	132.3
	80045156	1/14/2005	995.29
	80052986	6/20/2005	995.29
	80055948	8/30/2005	22.31
	80056100	9/1/2005	3,373.27
	80056101	9/1/2005	803.16
	80056127	9/1/2005	620.83
	80056164	9/2/2005	3,212.64
	80056165	9/2/2005	642.53
	80056199	9/2/2005	975.38
	80056260	9/6/2005	1,927.58
	80056261	9/6/2005	481.9
	80056277	9/6/2005	2,619.55
	80056339	9/7/2005	3,533.90
	80056340	9/7/2005	803.16
	80056400	9/8/2005	3,533.90
	80056401	9/8/2005	803.16
	80056408	9/8/2005	975.38
	80056433	9/8/2005	22.31
	80056451	9/9/2005	3,533.90
	80056452	9/9/2005	803.16
	80056525	9/12/2005	803.16
	80056563	9/12/2005	1,927.58
	80056620	9/13/2005	3,533.90
	80056621	9/13/2005	963.79
	80056691	9/14/2005	3,533.90
	80056692	9/14/2005	803.16
	80056700	9/14/2005	620.83
	80056703	9/14/2005	1,032.19
	80056734	9/15/2005	1,766.95
	80056735	9/15/2005	321.26
	80056811	9/16/2005	3,533.90
	80056812	9/16/2005	963.79
	80056856	9/16/2005	1,596.21
	80056861	9/17/2005	3,373.27
	80056862	9/17/2005	963.79
	80056864	9/16/2005	645.12
	80056894	9/19/2005	3,212.64
	80056895	9/19/2005	642.53
	80056997	9/20/2005	3,373.27
	80056998	9/20/2005	963.79
	80057035	9/21/2005	3,373.27
	80057036	9/21/2005	963.79
	80057076	9/21/2005	333.12
	80057140	9/22/2005	2,248.85
	80057141	9/22/2005	642.53
	80057154	9/23/2005	333.12
	80057203	9/23/2005	2,891.38
	80057204	9/23/2005	963.79
	80057250	9/24/2005	3,212.64
	80057252	9/24/2005	963.79
	80057296	9/26/2005	2,409.48
	80057297	9/26/2005	963.79
	80057362	9/27/2005	3,373.27
	80057363	9/27/2005	1,124.42
	80057438	9/28/2005	3,212.64
	80057439	9/28/2005	1,124.42
	80057440	9/28/2005	1,998.72
	80057507	9/29/2005	620.83
	80057509	9/29/2005	3,373.27
	80057510	9/29/2005	1,124.42
	80057542	9/30/2005	3,373.27
	80057543	9/30/2005	1,124.42
	80057587	9/30/2005	2,193.41

Delphi Accounts Receivable  
As of October 8, 2005

	<u>Cust #</u>	<u>Inv #</u>	<u>Inv Date</u>	<u>Prod Parts Amount</u>
	80057657	10/3/2005		2,891.38
	80057658	10/3/2005		963.79
	80057714	10/4/2005		3,212.64
	80057715	10/4/2005		1,124.42
	80057719	10/4/2005		1,596.21
	80057792	10/5/2005		3,373.27
	80057793	10/5/2005		1,124.42
	80057799	10/5/2005		22.31
	80057850	10/6/2005		1,124.42
	80057851	10/6/2005		3,212.64
	80057873	10/7/2005		774.14
	80057915	10/7/2005		3,373.27
	80057916	10/7/2005		1,091.16
	T1015	7/26/2005		
	Cust # Total			131,519.00
GM04401	80038340	8/13/2004		104.77
	80039626	9/10/2004		160.7
	80048603	3/30/2005		70.68
	80055588	8/22/2005		22
	80055591	8/22/2005		1,200.00
	80056141	9/1/2005		22,019.37
	80056217	9/2/2005		187.2
	80056294	9/6/2005		811.2
	80056351	9/7/2005		1,979.64
	80056586	9/12/2005		2,896.02
	80056639	9/13/2005		9,820.08
	80056657	9/14/2005		3,608.50
	80056711	9/14/2005		1,801.80
	80056944	9/19/2005		18,929.98
	80056946	9/19/2005		12,433.59
	80057028	9/20/2005		374.4
	80057093	9/21/2005		873.6
	80057147	9/22/2005		4,211.66
	80057324	9/26/2005		19,179.80
	80057379	9/27/2005		10,032.30
	80057388	9/27/2005		526.5
	80057580	9/30/2005		1,000.40
	80057662	10/3/2005		21,614.54
	80057733	10/4/2005		5,463.69
	80057806	10/6/2005		55.28
	80057859	10/6/2005		1,752.70
	80058002	10/10/2005		19,817.50
	80058012	10/10/2005		1,347.15
	80058087	10/11/2005		7,036.40
	8033073M	4/19/2004		445.5
	8035833M	6/29/2004		7.46
	8045710M	2/28/2005		7.33
	8046427M	2/28/2005		208.96
	T1055	9/23/2005		
	Cust # Total			170,000.70
Total Delphi				<u>301,519.70</u>



Attachment 2  
DBM Technologies, LLC  
Delphi A/P Balance as of 10/08/05

<u>Voucher</u> <u>Invoice</u>	<u>Inv Date</u>	<u>Total</u> <u>Amount</u>
BM12906	DELPHI Harrison Thermal	
85307102	11/19/2004	1,925.00
86756481	8/16/2005	50,820.00
86859723	9/1/2005	50,820.00
86859727	9/1/2005	37,730.00
86866259	9/2/2005	50,820.00
86866260	9/3/2005	50,820.00
86879203	9/6/2005	50,820.00
86889308	9/7/2005	50,820.00
86889311	9/7/2005	50,820.00
RC176576	9/7/2005	(6,200.00)
86899475	9/8/2005	50,820.00
86908218	9/9/2005	50,820.00
86908219	9/10/2005	50,820.00
86908225	9/10/2005	50,820.00
86916610	9/12/2005	50,820.00
86927862	9/13/2005	50,820.00
86936099	9/14/2005	50,820.00
86936102	9/14/2005	50,820.00
86943495	9/15/2005	50,820.00
86953536	9/16/2005	50,820.00
86953537	9/17/2005	50,820.00
86953639	9/17/2005	50,820.00
86960959	9/19/2005	50,820.00
86971958	9/20/2005	50,820.00
86980088	9/21/2005	29,260.00
86980090	9/21/2005	50,820.00
86986463	9/22/2005	43,505.00
86986467	9/22/2005	36,960.00
86998026	9/23/2005	50,820.00
86998342	9/24/2005	13,860.00
86998027	9/24/2005	50,820.00
86998030	9/24/2005	24,640.00
87007002	9/26/2005	50,820.00
87011952	9/26/2005	26,180.00
87017361	9/27/2005	50,820.00
87024364	9/28/2005	50,820.00
87024366	9/28/2005	36,960.00
87030782	9/29/2005	50,820.00
87041583	9/29/2005	13,860.00
CHRGBK 0905	9/29/2005	(1,059.37)
87042584	9/30/2005	23,870.00
87042585	10/1/2005	38,500.00
87042588	10/1/2005	20,020.00
87050203	10/2/2005	40,040.00

87063449	10/3/2005	30,030.00
87063508	10/3/2005	50,820.00
87067025	10/4/2005	50,820.00
87073417	10/5/2005	50,820.00
87073418	10/5/2005	50,820.00
RC177204	10/5/2005	(6,640.00)
87080976	10/6/2005	50,820.00
87080978	10/6/2005	50,820.00
87090002	10/7/2005	40,810.00
87090004	10/8/2005	50,820.00
87090006	10/8/2005	50,820.00

Total		2,273,770.63
-------	--	--------------

BM12907

DELPHI

RC173965	4/26/2005	(14,070.00)
86797633	8/23/2005	7,035.00
86857385	9/1/2005	7,437.00
86874792	9/6/2005	7,437.00
86914557	9/12/2005	7,437.00

Total		15,276.00
-------	--	-----------

Grand Total Payables		<u>2,289,046.63</u>
----------------------	--	---------------------

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

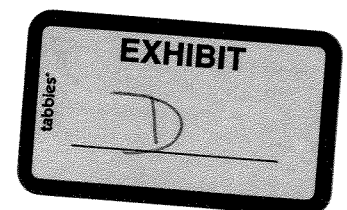
-----X	:	
In re	:	Chapter 11
	:	
<b>DELPHI CORPORATION <u>et al.</u>,</b>	:	Case No. 05-44481 (RDD)
	:	
Debtors.	:	(Jointly Administered)
-----X	:	

**ORDER GRANTING DBM TECHNOLOGIES, LLC FOR RELIEF  
FROM STAY TO EFFECT SETOFF**

This matter having come on to be considered upon the Motion by DBM Technologies, LLC For Relief From Stay To Effect Setoff (the "Motion"), filed by DBM Technologies, LLC ("DMB"), under 11 U.S.C. §362 and 11 U.S.C. §553; it appearing proper and adequate notice of the Motion has been given and no other or further notice is necessary; and after due deliberation therein; and all capitalized terms not defined herein having the meaning ascribed to them in the Motion and the Court having determined that cause exists for the relief requested in the Motion;

IT IS HEREBY ORDERED that:

1. The Motion is granted.
2. DBM is granted relief from the automatic stay in the bankruptcy case of Debtor Delphi Corporation to effect the setoff of the DBM Claim in the amount of \$301,519.70 against the Delphi Claim.
3. The requirement under Local Rule 9013-1(b) for the service and filing of a separate memorandum of law is deemed satisfied by the Motion.



Dated: \_\_\_\_\_  
New York, New York

DETROIT.2004486.1

\_\_\_\_\_  
UNITED STATES BANKRUPTCY JUDGE

Certificate of Service

The undersigned hereby certifies and declares that she served copies as follows:

1. Documents Served: Notice of Motion and Motion For Relief From Stay to Effect Setoff
2. Served Upon: See attached Master Service List
3. Method of Service: Federal Express Overnight Mail
4. Date Served: November 15, 2005

By: /s/ JoAnn Mendola

JoAnn Mendola  
Assistant to Eugene I. Farber  
Farber Pappalardo & Carbonari  
200 East Post Road  
White Plains, NY 10601

COMPANY	CONTACT	ADDRESS1	ADDRESS2	CITY	STATE	ZIP	PHONE	FAX	EMAIL	PARTY / FUNCTION
Brown Rudnick Berlack Israels LLP	Robert J. Stark	Seven Times Square		New York	NY	10036	212-209-4800	212-209-4801	<a href="mailto:rstark@brownrudnick.com">rstark@brownrudnick.com</a>	Indenture Trustee
Capital Research and Management Company	Michelle Robson	11100 Santa Monica Blvd	15th Floor	Los Angeles	CA	90025	310-996-6140	310-996-6091	<a href="mailto:mlfr@capgroup.com">mlfr@capgroup.com</a>	Creditor Committee Member
Cohen Weiss & Simon	Bruce Simon	330 W. 42nd Street		New York	NY	10036	212-356-0231	212-695-5436	<a href="mailto:b.simon@cwsny.com">b.simon@cwsny.com</a>	
Curtis, Mallet-Prevost, Colt & Mosle LLP	Steven J. Reisman	101 Park Avenue		New York	NY	10178-0061	212-696-6000	212-697-1559	<a href="mailto:sreisman@cm-p.com">sreisman@cm-p.com</a>	Counsel for Flextronics International USA, Inc.
Davis Polk & Wardwell	Donald Bernstein	450 Lexington Avenue		New York	NY	10017	212-450-4092	212-450-3092	<a href="mailto:donald.bernstein@dpw.com">donald.bernstein@dpw.com</a>	Postpetition Administrative Agent
Delphi Corporation	Sean Corcoran, Karen Craft	5725 Delphi Drive		Troy	MI	48098	248-813-2000	248-813-2670	<a href="mailto:sean.p.corcoran@delphi.com">sean.p.corcoran@delphi.com</a> <a href="mailto:karen.i.craft@delphi.com">karen.i.craft@delphi.com</a>	Debtors
Electronic Data Systems Corp.	Michael Nefkens	5505 Corporate Drive MSIA		Troy	MI	48098	248-696-1729	248-696-1739	<a href="mailto:mike.nefkens@eds.com">mike.nefkens@eds.com</a>	Creditor Committee Member
Flextronics International	Carrie L. Schiff	6328 Monarch Park Place		Niwot	CO	80503	303-652-4853	303-652-4716	<a href="mailto:cschiff@flextronics.com">cschiff@flextronics.com</a>	Counsel for Flextronics International
Flextronics International	Terry Zale	6328 Monarch Park Place		Niwot	CO	80503	303-652-4853	303-652-4716	<a href="mailto:terryzale@flextronics.com">terryzale@flextronics.com</a>	Counsel for Flextronics International
Freescale Semiconductor, Inc.	Richard Lee Chambers, III	6501 William Cannon Drive West	MD: OE16	Austin	TX	78735	512-895-6357	512-895-3090	<a href="mailto:trey.chambers@freescale.com">trey.chambers@freescale.com</a>	Creditor Committee Member
FTI Consulting, Inc.	Randall S. Eisenberg	3 Times Square	11th Floor	New York	NY	10036	212-247-1010	212-841-9350	<a href="mailto:randall.eisenberg@fticonsulting.com">randall.eisenberg@fticonsulting.com</a>	Financial Advisors to Debtors
General Electric Company	Valerie Venable	One Plastics Avenue		Pittsfield	MA	01201	704-992-5075	866-585-2386		Creditor Committee Member
Groom Law Group	Lonie A. Hassel	1701 Pennsylvania Avenue, NW		Washington	DC	20006	202-857-0620	202-659-4503	<a href="mailto:lhassel@groom.com">lhassel@groom.com</a>	Counsel for Employee Benefits
Hodgson Russ LLP	Stephen H. Gross	152 West 57th Street	35th Floor	New York	NY	10019	212-751-4300	212-751-0928	<a href="mailto:sgross@hodgsonruss.com">sgross@hodgsonruss.com</a>	Counsel for Hexcel Corporation
Honigman Miller Schwartz and Cohn LLP	Frank L. Gorman, Esq.	2290 First National Building	660 Woodward Avenue	Detroit	MI	48226-3583	313-465-7000	313-465-8000	<a href="mailto:fgorman@honigman.com">fgorman@honigman.com</a>	Counsel to General Motors Corporation
Honigman Miller Schwartz and Cohn LLP	Robert B. Weiss, Esq.	2290 First National Building	660 Woodward Avenue	Detroit	MI	48226-3583	313-465-7000	313-465-8000	<a href="mailto:rweiss@honigman.com">rweiss@honigman.com</a>	Counsel to General Motors Corporation
Internal Revenue Service	Attn: Insolvency Department, Mario Valerio	290 Broadway	5th Floor	New York	NY	10007	212-298-2015	212-298-2016		IRS
Internal Revenue Service	Attn: Insolvency Department	477 Michigan Ave	Mail Stop 15	Detroit	MI	48226	313-628-3648	313-628-3602		Michigan IRS
IUE-CWA	Henry Reichard	2360 W. Dorothy Lane	Suite 201	Dayton	OH	45439	937-294-7813	937-294-9164	<a href="mailto:hreichard@iuecwa@aol.com">hreichard@iuecwa@aol.com</a>	Creditor Committee Member
Jefferies & Company, Inc.	William Q. Derrough	520 Madison Avenue	12th Floor	New York	NY	10022	212-284-2521	212-284-2470	<a href="mailto:bderrough@jefferies.com">bderrough@jefferies.com</a>	UCC Professional
JPMorgan Chase Bank, N.A.	Thomas F. Maher, Richard Duker, Gianni Russello	270 Park Avenue		New York	NY	10017	212-270-0426	212-270-0430	<a href="mailto:thomas.fmaher@chase.com">thomas.fmaher@chase.com</a> <a href="mailto:richard.duker@jpmorgan.com">richard.duker@jpmorgan.com</a> <a href="mailto:gianni.russello@jpmorgan.com">gianni.russello@jpmorgan.com</a>	Postpetition Administrative Agent
JPMorgan Chase Bank, N.A.	Vilma Francis	270 Park Avenue		New York	NY	10017		212-270-5484	<a href="mailto:vilma.francis@jpmorgan.com">vilma.francis@jpmorgan.com</a>	Prepetition Administrative Agent
Kurtzman Carson Consultants	James Le	12910 Culver Blvd.	Suite I	Los Angeles	CA	90066	310-751-1511	310-751-1561	<a href="mailto:jle@kccllc.com">jle@kccllc.com</a>	Noticing and Claims Agent
Latham & Watkins LLP	Robert J. Rosenberg	885 Third Avenue		New York	NY	10022	212-906-1370	212-751-4864	<a href="mailto:robert.rosenberg@lw.com">robert.rosenberg@lw.com</a>	UCC Professional
Law Debenture Trust of New York	Patrick J. Healy	767 Third Ave.	31st Floor	New York	NY	10017	212-750-6474	212-750-1361	<a href="mailto:patrick.healy@lawdeb.com">patrick.healy@lawdeb.com</a>	Indenture Trustee

COMPANY	CONTACT	ADDRESS1	ADDRESS2	CITY	STATE	ZIP	PHONE	FAX	EMAIL	PARTY / FUNCTION
Law Debenture Trust of New York	Daniel R. Fisher	767 Third Ave.	31st Floor	New York	NY	10017	212-750-6474	212-750-1361	<a href="mailto:daniel.fisher@lawdeb.com">daniel.fisher@lawdeb.com</a>	Indenture Trustee
McDermott Will & Emery LLP	David D. Cleary	227 West Monroe Street		Chicago	IL	60606	312-372-2000	312-984-7700	<a href="mailto:dcleary@mwe.com">dcleary@mwe.com</a>	Counsel for Recticel North America, Inc.
McDermott Will & Emery LLP	Mohsin N. Khambati	227 West Monroe Street		Chicago	IL	60606	312-372-2000	312-984-7700	<a href="mailto:mkhambati@mwe.com">mkhambati@mwe.com</a>	Counsel for Recticel North America, Inc.
McTigue Law Firm	J. Brian McTigue	5301 Wisconsin Ave. N.W.	Suite 350	Washington	DC	20015	202-364-6900	202-364-9960	<a href="mailto:bmctigue@mctiquelaw.com">bmctigue@mctiquelaw.com</a>	Counsel for Movant Retirees and Proposed Counsel for The Official Committee of Retirees
McTigue Law Firm	Cornish F. Hitchcock	5301 Wisconsin Ave. N.W.	Suite 350	Washington	DC	20015	202-364-6900	202-364-9960	<a href="mailto:conh@mctiquelaw.com">conh@mctiquelaw.com</a>	Counsel for Movant Retirees and Proposed Counsel for The Official Committee of Retirees
Mesirow Financial	Melissa Knolls	321 N. Clark St.	13th Floor	Chicago	IL	60601	800-453-0600	312-644-8927	<a href="mailto:mknoll@mesirrowfinancial.com">mknoll@mesirrowfinancial.com</a>	UCC Professional
Morrison Cohen LLP	Joseph T. Moldovan, Esq.	909 Third Avenue		New York	NY	10022	212-735-8603	917-522-3103	<a href="mailto:jmoldovan@morrisoncohen.com">jmoldovan@morrisoncohen.com</a>	Counsel for Blue Cross and Blue Shield of Michigan
Northeast Regional Office	Mark Schonfeld, Regional Director	3 World Financial Center	Room 4300	New York	NY	10281	212-336-1100	212-336-1323	<a href="mailto:newyork@sec.gov">newyork@sec.gov</a>	Securities and Exchange Commission
Office of New York State	Attorney General Eliot Spitzer	120 Broadway		New York City	NY	10271	212-416-8000	212-416-6075		New York Attorney General's Office
O'Melveny & Meyer LLP	Robert Siegel	400 South Hope Street		Los Angeles	CA	90071	213-430-6000	213-430-6407	<a href="mailto:rsiegel@omm.com">rsiegel@omm.com</a>	Special Labor Counsel
O'Melveny & Meyer LLP	Tom A. Jerman, Rachel Janger	1625 Eye Street, NW		Washington	DC	20006	202-383-5300	202-383-5414	<a href="mailto:tjerman@omm.com">tjerman@omm.com</a>	Special Labor Counsel
Pension Benefit Guaranty Corporation	Jeffrey Cohen	1200 K Street, N.W.	Suite 340	Washington	DC	20005	202-326-4020	202-326-4112	<a href="mailto:garrick.sandra@pbqc.gov">garrick.sandra@pbqc.gov</a> <a href="mailto:efile@pbqc.gov">efile@pbqc.gov</a>	Counsel for Pension Benefit Guaranty Corporation
Pension Benefit Guaranty Corporation	Ralph L. Landy	1200 K Street, N.W.	Suite 340	Washington	DC	20005-4026	202-326-4020	202-326-4112	<a href="mailto:landy.ralph@pbqc.gov">landy.ralph@pbqc.gov</a>	Chief Counsel for the Pension Benefit Guaranty Corporation
Phillips Nizer LLP	Sandra A. Riemer	666 Fifth Avenue		New York	NY	10103	212-841-0589	212-262-5152	<a href="mailto:sriemer@phillipsnizer.com">sriemer@phillipsnizer.com</a> <a href="mailto:david.resnick@us.rothschild.com">david.resnick@us.rothschild.com</a>	Counsel for Freescale Semiconductor, Inc., f/k/a Motorola Semiconductor Systems
Rothchild Inc.	David L. Resnick	1251 Avenue of the Americas		New York	NY	10020	212-403-3500	212-403-5454		Financial Advisor
Seyfarth Shaw LLP	Robert W. Dremluk	1270 Avenue of the Americas	Suite 2500	New York	NY	10020-1801	212-218-5500	212-218-5526	<a href="mailto:rdremluk@seyfarth.com">rdremluk@seyfarth.com</a> <a href="mailto:dbartner@shearman.com">dbartner@shearman.com</a>	Counsel for Murata Electronics North
Shearman & Sterling LLP	Douglas Bartner, Jill Frizzley	599 Lexington Avenue		New York	NY	10022	212-848-4000	212-848-7179	<a href="mailto:jfrizzley@shearman.com">jfrizzley@shearman.com</a> <a href="mailto:kziman@stblaw.com">kziman@stblaw.com</a>	Local Counsel to the Debtors
Simpson Thatcher & Bartlett LLP	Kenneth S. Ziman, Robert H. Trust, William T. Russell, Jr.	425 Lexington Avenue		New York	NY	10017	212-455-2000	212-455-2502	<a href="mailto:rtrust@stblaw.com">rtrust@stblaw.com</a> <a href="mailto:wrussell@stblaw.com">wrussell@stblaw.com</a> <a href="mailto:jbutler@skadden.com">jbutler@skadden.com</a>	Prepetition Administrative Agent
Skadden, Arps, Slate, Meagher & Flom LLP	John Wm. Butler, John K. Lyons, Ron E. Meisler	333 W. Wacker Dr.	Suite 2100	Chicago	IL	60606	312-407-0700	312-407-0411	<a href="mailto:jlyonsch@skadden.com">jlyonsch@skadden.com</a> <a href="mailto:rmeisler@skadden.com">rmeisler@skadden.com</a>	Counsel to the Debtor
Skadden, Arps, Slate, Meagher & Flom LLP	Kayalyn A. Marafioti, Thomas J. Matz	4 Times Square	P.O. Box 300	New York	NY	10036	212-735-3000	212-735-2000	<a href="mailto:kmarafo@skadden.com">kmarafo@skadden.com</a> <a href="mailto:tmatz@skadden.com">tmatz@skadden.com</a>	Counsel to the Debtor
Spencer Fane Britt & Browne LLP	Daniel D. Doyle	1 North Brentwood Boulevard	Tenth Floor	St. Louis	MO	63105	314-863-7733	314-862-4656	<a href="mailto:ddoyle@spencerfane.com">ddoyle@spencerfane.com</a>	Counsel for Movant Retirees and Proposed Counsel for The Official Committee of Retirees

COMPANY	CONTACT	ADDRESS1	ADDRESS2	CITY	STATE	ZIP	PHONE	FAX	EMAIL	PARTY / FUNCTION
Spencer Fane Britt & Browne LLP	Nicholas Franke	1 North Brentwood Boulevard	Tenth Floor	St. Louis	MO	63105	314-863-7733	314-862-4656	<a href="mailto:nfranke@spencerfane.com">nfranke@spencerfane.com</a>	Counsel for Movant Retirees and Proposed Counsel for The Official Committee of Retirees
Stevens & Lee, P.C.	Chester B. Salomon, Constantine D. Pourakis	485 Madison Avenue	20th Floor	New York	NY	10022	212-319-8500	212-319-8505	<a href="mailto:cp@stevenslee.com">cp@stevenslee.com</a> <a href="mailto:cs@stevenslee.com">cs@stevenslee.com</a>	Counsel for Wamco, Inc.
Togut, Segal & Segal LLP	Albert Togut	One Penn Plaza	Suite 3335	New York	NY	10119	212-594-5000	212-967-4258	<a href="mailto:altogut@teamtogut.com">altogut@teamtogut.com</a>	Conflicts Counsel to the Debtors
United States Trustee	Alicia M. Leonard	33 Whitehall Street	21st Floor	New York	NY	10004-2112	212-510-0500	212-668-2255 does not take service via fax		United States Trustee
United States Trustee	Deirdre A. Martini	33 Whitehall Street	Suite 2100	New York	NY	10004	212-510-0500	212-668-2256	<a href="mailto:deirdre.martini@usdoj.gov">deirdre.martini@usdoj.gov</a>	United States Trustee
Weil, Gotshal & Manges LLP	Jeffrey L. Tanenbaum, Esq.	767 Fifth Avenue		New York	NY	10153	212-310-8000	212-310-8007	<a href="mailto:jeffrey.tanenbaum@weil.com">jeffrey.tanenbaum@weil.com</a>	Counsel to General Motors Corporation
Weil, Gotshal & Manges LLP	Martin J. Bienenstock, Esq.	767 Fifth Avenue		New York	NY	10153	212-310-8000	212-310-8007	<a href="mailto:martin.bienenstock@weil.com">martin.bienenstock@weil.com</a>	Counsel to General Motors Corporation
Weil, Gotshal & Manges LLP	Michael P. Kessler, Esq.	767 Fifth Avenue		New York	NY	10153	212-310-8000	212-310-8007	<a href="mailto:michael.kessler@weil.com">michael.kessler@weil.com</a>	Counsel to General Motors Corporation
Wilmington Trust Company	Steven M. Cimalore	Rodney Square North	1100 North Market Street	Wilmington	DE	19890	302-636-6058	302-636-4143	<a href="mailto:scimalore@wilmingtontrust.com">scimalore@wilmingtontrust.com</a>	Creditor Committee Member/Indenture Trustee